

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1451/P1dn
MES.....:....

Rep.-elect Starzyk:

This bill is not drafted according to the instructions in the letter you sent me from Mr. Stittleburg, but I believe that it accomplishes your intent. The letter suggests that the definition of "municipality" in s. 66.0301 (1) (a) be changed to include "fire department or rescue squad created under the cha. (sic) 180, 181, or 213." I do not believe that it is advisable to change the definition in this way for 2 reasons. First, as Mr. Stittleburg points out in his letter, this approach may be unnecessarily overbroad. Second, it doesn't make sense to me to include private entities in the definition of "municipality" in a subchapter that is about cooperation between units of government.

Instead, I added fire companies organized under ch. 180 or 181 to ss. 60.55 (1) (a) 4. and 61.65 (2) (a) 4. In addition, I'm not sure why it was felt that the definition of "municipality" in s. 66.0301 (1) (a) needed to be changed to allow a city, village, or town to enter into a contract with fire companies organized under ch. 180 or 181; a city or village would certainly have the authority to do so under its home rule authority, and a town may "[e]nter into contracts necessary for the exercise of its corporate powers" under s. 60.01 (2) (c).

Please let me know if this bill does not meet your intent so that I can redraft it.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us